

Seven myths about Kaliningrad

Introduction

Due to the integration to the European Union Poland and Lithuania intend to introduce overall visa obligation for the Russian citizens. Currently the Russians entering Poland may present at the border a voucher, an invitation, or an AB stamp, which entitles them to business travels. Lithuania maintains visa reliefs for the inhabitants of Kaliningrad and the Russians travelling from and to the enclave. The decisions encounter an opposition on the Russian side, which is of the opinion that the activities will result in the isolation of the enclave. This is why Moscow insists on the maintaining of a visa free movement between the enclave and the rest of Russia. The recent statements made by President Putin on the EU–Russia summit meeting in Moscow (May 29) and the Council of Baltic Sea States summit meeting in Petersburg (June 10-11) show a significant hardening of the Russian position on this matter. President Putin has even made the whole of the Russian relations with the European Union conditional on the resolving of the Kaliningrad problem according to the plans of Moscow. During the last few weeks not only the Russian politicians were making statements on the Kaliningrad issue but also representatives of the Polish, Lithuanian and Western authorities, as well as the EU officials. So far, the last ones have definitely rejected the possibility of adopting any rules going beyond the framework of the Schengen provisions towards Kaliningrad.

The debate that has sparked off around the issue of Kaliningrad is mostly based on a series of unfounded assumptions, which are commonly regarded as obvious. Undoubtedly they make the rational resolving of the enclave problem even more difficult. In this text the author has attempted to identify and straighten out these “mythical” elements of the discussion, and next to set a possible course of further action.

The most popular myths about transit to the enclave

Myth 1. The rejection of the Russian demands on visa-free transit to Kaliningrad by the EU will significantly weaken the position of President Putin in the country, it may also induce him to turn his back on the pro-European course of the foreign policy.

It seems obvious that anti-Western rhetoric applied in the context of visas is aimed at, among other things, the neutralisation of a negative atmosphere in these circles of authorities and of the public opinion, who assess the pro-Western policy of the Kremlin very negatively. The long-term dependence of the Russian–EU relations on the issue of transit to Kaliningrad does not seem very probable, however. The deterioration of the relationship with the EU would threaten vital political and economic interests of the Russian Federation (it may hinder trade, power engineering cooperation and it may negatively affect the possible inflow of the EU capital to Russia) and it would result in far greater losses than the unsolved problem of transit to the Russian enclave.

The issue of transit to Kaliningrad does not seem to threaten the position of Vladimir Putin in the country, either. Uncompromising declarations concerning the enclave may pay off to the Kremlin, regardless of the result of the visa dispute. The possible change of the EU position would undoubtedly be a personal success of the President. But the lack of change may also be played through to the benefit of Moscow because it will allow Russia to put all the blame for the negative consequences of visa introduction, or a bad situation in the enclave in general, on the European Union. Such propaganda manoeuvres may be currently carried out very effectively because all the Russia-wide TV channels are to a greater or lesser extent controlled by the Kremlin.

It is worth adding that so far the majority of the Russian society has not perceived the issue of Kaliningrad as a particularly important one. This can be easily proved by the fact that in the opinion poll conducted on June 13, (already after the EU–Moscow summit meeting, during which President Putin has presented a hard-line position on the passenger tran-

sit to and from the enclave) by the Fond Obshtchestvennogo Mneniya, on the question about the most important problems of the contemporary Russia no one indicated the problem of the Kaliningrad enclave.

Myth 2. The problem of transit to and from Kaliningrad is related to the introduction of visas by Poland.

No transit route between Kaliningrad and other Russian regions is running through the Polish territory, although for the last decade such an idea has come up a few times (the Goldap–Suwalki–Grodno road). Due to this fact the introduction of visas by Poland will not have a significant influence on the quality of transit between the enclave and the rest of Russia. However, the visa regime on the Polish–Kaliningrad border is significant from the point of view of the Polish–Kaliningrad cross-border relations. The majority of crossings on this border is related to illicit shuttle trade. The introduction of visas will limit these dealings, which in the short-term perspective will undoubtedly have adverse consequences for the local community (on both sides of the border). However, from the point of view of long term national objectives such limitation seems indispensable.

Land transit between the Kaliningrad oblast and the rest of Russia takes place first of all through Lithuania and Belarus by railway (the Moscow–Kaliningrad connection) and by road transport, mainly via the routes of Kibartai–Vilnius–Medininkai (260 km); and Kibartai–Druskeniki–Raigardas (130 km).

Land transit is also possible through the territory of Lithuania and Latvia; by car (such option is favourable if travellers are coming from or to the north-European regions of the Russian Federation), or by railway (the Kaliningrad–Petersburg connection). Taking into account the possible travelling routes the visa regulations introduced by Lithuania and the regulations applicable in Latvia will be significant for the issue of transit to the enclave.

Myth 3. The introduction of visas is equivalent to the eliminating of visa free drive or ride on the Kaliningrad–Russia route.

The Kaliningrad oblast is not isolated and it will not be isolated from Russia after the EU enlargement because it has a direct connection by sea to the rest of the country. You can also travel from the oblast to Moscow by plane. It is true that the passenger sea transport is practically non-existent and the air transport is poorly developed indeed, but this is due to the insufficient interest of Moscow in the development of these connections and also to the lack of funds to start a ferry crossing and to subsidise the only air carrier in the enclave, “Kaliningrad-Avia” which is suffering from a crisis.

Myth 4. The introduction of visas will only make it more difficult for the Russians to cross the Kaliningrad border.

The abolition of visa reliefs by Lithuania and Poland will undoubtedly result in particular difficulties for the Russians leaving and entering the enclave. These difficulties will be related to the necessity to perform formalities in order to obtain a visa. Apart from adverse effects the tightening of the visa regime will have positive results for a significant number of travellers. First of all the visas will eliminate a considerable number of shuttle-traders blocking the border crossing points with a few kilometres long waiting lines (this is relevant mainly for the Police border). Consequently, the clearance time will be shortened (presently it takes several hours for people travelling in passenger cars and a dozen or so up to a few dozen hours for the TIR drivers).

Undoubtedly the improvement of border crossing conditions will also considerably bring down cross border fraud as there will be no need to bribe the militia officials or border guards (for example in order to speed up the clearance procedure). Presently such practices prevail on the border crossing points to the enclave.

Myth 5. The isolation of the oblast is mainly the result of decisions taken by the European Union.

The authorities of the Russian Federation have a huge influence on the opportunities of establishing a relationship between the inhabitants of the oblast and the inhabitants of the neighbouring countries. The Russian side dictates the costs and the waiting time for issuing passports to the inhabitants of the enclave (only one fourth of the oblast inhabitants are holders of such a document). Moscow decides also on the extending of air and sea connections between Kaliningrad and the rest of Russia. The Russian authorities are also responsible for the possible subsidies to plane and ferry tickets if they proved too expensive for the inhabitants of the enclave. But first of all it is the Russian authorities who decide about the possibilities of access of foreign citizens to the enclave. The degree of isolation of the region is shaped not only by trip opportunities of its inhabitants but by the openness for the citizens of foreign countries, including the neighbouring countries. However, even now the process of obtaining a Russian visa is long and costly. The Russian consul is obliged to send each visa application to the Ministry of Foreign Affairs headquarters for approval and the cost of a visa varies from a few dozens to a hundred and a few dozen dollars. The number of staff employed in the Russian consulates in Poland and Lithuania raises some doubts about the possibilities of providing a quick service to a higher number of applicants. So it is quite probable that once Russia introduces the visa obligation, passenger traffic to the enclave will decline to the minimum.

Myth 6. The possible solutions to the issue of transit boil down to the following alternative: to introduce the visa obligation, or not. The Schengen *acquis* leaves little room for manoeuvre in looking for a mutually beneficial solution.

There is a number of solutions the application of which would considerably facilitate the transit, and which would not need to go beyond the Schengen framework. First of all it is possible to facilitate the procedure of visa issuance. For example the requirement of presenting enough

financial means for survival in the Schengen countries may be transferred to the persons inviting the visa applicants, and the amount itself may be lowered. The visa fee may also be subject to negotiations. Declarations of the Ministers of Foreign Affairs from the candidate countries show that the visa fees may be fixed even at the level of a few dollars for a single crossing visa and a dozen or so dollars for a multiple-entry visa. But the most important instrument in the minimising of negative consequences of visa introduction by the EU will be the efficiency of the consular infrastructure, the Schengen Information System, and the border crossing points. The application of various technology solutions (for example magnetic readers), the increase in the number of consular counters etc. may also play an important role.

Myth 7. The introduction of visas by Poland and Lithuania will be equivalent to the entering of these countries into the Schengen zone.

The introduction of the Schengen *acquis* as an element of the *acquis communautaire* is obligatory for the candidate countries and it must be completed even before the commencing of the process of ratifying the accession agreements by the EU countries (so in practice at least a year before the scheduled enlargement). This does not mean, however, that Poland or Lithuania are automatically admitted to the Schengen zone – this decision lies with the countries already belonging to the zone, and it is taken on the basis of the assessment of the state of preparation of a given candidate to the fulfilment of various requirements. Such procedures may take up even a few years. Until then the new Member States will issue national visas valid only on their territory. The Executive Convention implementing the Schengen Agreement does not provide in details for the rules of their issuance (including fees), or their validity periods.

Recommendations

The identification and the placing in the real context of the most important “myths” appearing in the debate on the transit to Kaliningrad allows to formulate a series of suggestions about the possible directions of the Polish and the EU policy on Kaliningrad.

1. It is particularly significant not to be guided by fears for the stability of the pro-Western course of Russia and the domestic position of Vladimir Putin in the debate with Moscow. It does not seem that the non-fulfilment of the demands put forward by Russia would lead to a slump in the social support to the Russian president, or to a long-standing deterioration in the Russia–EU relationship.
2. At the same time we have to be aware of the fact that for both the EU and for Russia the discussion about transit to Kaliningrad has a much wider significance than the bare issue of solving the problem of crossings between the enclave and the remaining Russian regions. In other words the game for Kaliningrad is a game in which there is much more at stake than just the oblast isolation. This is first of all a discussion about the position of the Russian Federation in Europe – its ability to work out a special, preferential (compared to the positions of other EU neighbours) position in the relationship with the EU. There is a prevailing conviction in Russia that, just as it has been with NATO, Moscow may set special preferential treatment rules in its cooperation with Brussels. That is why the way of resolving the problem of transit between the Russian Federation and Kaliningrad may become a precedent which will determine the direction in the development of the long term Moscow–Brussels relationship.
3. In the debate relating to the issue of Kaliningrad isolation it is worth drawing a dividing line between two problems: the problem of the transit between the enclave and the remaining regions of Russia, and the problem of visa regime for the persons leaving the enclave. In the first case undoubtedly some special solutions are necessary (within the Schengen *acquis*), in the second case there are no circumstances calling

for any particular facilitation. Consequently, the discussion about non-transit related visa regulations should not focus in any special way on the enclave.

4. The debate on the transit between Kaliningrad and other Russian regions should be brought down first of all to such solutions related to this issue which are adopted in Lithuania and possibly in the two remaining Baltic States – this is where the transit route runs to and from Russia. It does not seem justified, however, to include Poland in this debate, because there is no transit route running here. The transition solutions adopted by Poland should be discussed only in the general context of the visa regime for the Russians.

5. The issue of particular importance is the abandoning of the discussion on visa or visa-free nature of the transit. It seems already settled that all solutions related to the problem must not go beyond the Schengen rules. In this situation it is worth focusing on different possibilities acceptable from the point of view of the EU provisions (visa fees, issuance procedures, EU consular infrastructure in the enclave etc.).

6. It is also worth remembering that the degree of oblast isolation does not depend only on the visa regulations introduced by the EU. There is a series of areas, not related directly to visas, where much could be done in order to facilitate the contact between the enclave and the rest of the country. This is first of all about developing sea and air connections. It should be highlighted that changes in these areas depend mainly on Russia, the EU may, however, offer its help (for example loans, investment in airline and port infrastructure).

7. The discussions on transit should also be linked to the negotiations about the openness of the oblast for foreigners. The arrivals of Poles, Lithuanians, and also other persons from abroad to the oblast are an important factor preventing the isolation of the enclave.

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